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INFO RUCNCLS/ALL SOUTH AND CENTRAL ASIA COLLECTIVE
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RUEHAK/AMEMBASSY ANKARA 4874
RUEHBJ/AMEMBASSY BEIJING 2644
RUEHKO/AMEMBASSY TOKYO 2509
RUEHIT/AMCONSUL ISTANBUL 3118
RUCNDT/USMISSION USUN NEW YORK 0950
RHMFIUU/CDR USCENTCOM MACDILL AFB FL
RUEHVEN/USMISSION USOSCE 3354
RUEAIIA/CIA WASHDC
RHEFDIA/DIA WASHDC
RHEHNSC/NSC WASHDC
RUEKJCS/SECDEF WASHDC
RUEKJCS/JOINT STAFF WASHDC

UNCLAS SECTION 01 OF 03 ASHGABAT 000277

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SUBJECT: OVERVIEW OF REFUGEE SITUATION IN TURKMENISTAN

11. (U) Sensitive but Unclassified. Not for Internet distribution

12. (SBU) SUMMARY: According to the UNHCR Representative in Turkmenistan, refugees who arrived from Tajikistan during the 1990's have either returned home or been granted citizenship. Integration of the largely ethnic Turkmen group has gone well and UNHCR's work with the group will end this year. There are smaller groups of prima facie and mandate refugees, mostly from Afghanistan, many of whom have also been resident since the 1990's. Although UNHCR handled refugee determination and protection functions until recently, the State Migration Service has now taken over that role. UNHCR will assume the role of a watchdog for Government compliance with the Refugee Convention and domestic law. The organization also tracks the issue of statelessness, which is a post-Soviet legacy that continues to affect thousands of residents. END SUMMARY.

MOST REFUGEES FROM TAJIKISTAN BECAME CITIZENS

13. (SBU) On February 25, Political Officer and Political Assistant met with UNHCR Representative in Turkmenistan, Brita Helleland, to discuss the current refugee situation and her organization's work. Helleland remarked that currently there are few refugees in Turkmenistan. The major refugee issue was resolved in 2005 when the Government granted citizenship to approximately 10,000 refugees from Tajikistan, primarily ethnic Turkmen, who came to Turkmenistan during Tajik civil war. An additional 8,000 refugees returned to Tajikistan. Helleland said the former refugees who remained in Turkmenistan have integrated well. Most settled in remote areas of Lebap and Mary provinces where they were given either virgin land or land in tiny villages where the refugees make up eighty percent of the population. They mostly work as farmers and, according to Helleland, some have been quite prosperous, although infrastructure in these areas is poor.

14. (SBU) During the past two years UNHCR has implemented a Japanese-funded program on integration of refugees into Turkmen society. Within the framework of this program UNHCR carried out projects on sanitation and clean water, construction of health facilities in villages, vocational training of refugees, construction of workshops - mechanical for men and sewing for women - to generate income, and school renovations. All projects were carried out in coordination with the relevant Government agencies or

ministries. The program will end in October and no UNHCR follow-up is planned since the members of this group have become citizens.

OTHER REFUGEE GROUPS ARE SMALL IN NUMBER

15. (SBU) There remains a group of 600 prima facie refugees from Afghanistan who arrived in Turkmenistan in 1994 via Iran. Their refugee status is based on conditions in Afghanistan during Taliban rule. In 1994 they received residence permits in Turkmenistan. Many of them are traders conducting business. They retain Afghan passports and leave and reenter Turkmenistan without difficulty. Most of these individuals are also ethnic Turkmen.

16. (SBU) UNHCR also recognizes 63 mandate refugees in Turkmenistan, down from 80 eight months ago. Their number declined due to receiving residence permits or citizenship. Among them are 31 Afghans, plus Armenians, Chechens and Azerbaijanis. The mandate refugees from Afghanistan want to resettle elsewhere because of cultural and language differences. The men typically work in bazaars or as mechanics. It is difficult for their children to get an education. The Azerbaijanis and Armenians want to stay and UNHCR is lobbying on their behalf for either permanent residence status or citizenship.

NO ASYLUM SEEKERS FOR YEARS

17. (SBU) Helleland noted that there have been no asylum seekers in Turkmenistan for several years. She pointed out the anomaly that while no Afghan asylum seekers are apparently showing up in Turkmenistan, there has been an increase of Afghans seeking asylum in Tajikistan. Helleland wondered whether a potential Afghan asylum

ASHGABAT 00000277 002 OF 003

seeker would be accepted and processed properly at the Turkmen border, noting that while UNHCR has trained Turkmen officials about their obligations in such cases, it does not have the capacity to monitor activity at border crossings.

GOTX WILL MAKE REFUGEE DETERMINATIONS

18. (SBU) State Migration Service officials are responsible for handling cases at the border crossing. Until recently, the Government allowed UNHCR to make the determination about whether or not a person was a refugee. In January President Berdimuhamedov announced that the Migration Service would determine the status of refugees and issue refugee documents. As a result, UNHCR activities in Turkmenistan will be reduced, although UNHCR will keep training and advising the Migration Service on refugee and statelessness issues. Helleland said UNHCR in Turkmenistan would develop its role as a watchdog to make sure the Government abides by the Convention and its own law.

TURKMENISTAN'S HUMANITARIAN ASSISTANCE TO AFGHANISTAN

19. (SBU) Helleland mentioned that Turkmenistan provides humanitarian assistance to northern Afghanistan, mostly populated by ethnic Turkmen, providing them with subsidized electricity, constructing schools, hospitals and railways, providing flour and clothing. Such assistance might be aimed at reducing the potential flow of Afghan refugees into Turkmenistan. According to Helleland, while there is nothing to suggest that there would be a large flow of Afghan refugees to Turkmenistan in the near future, if unrest moved into northern areas of Afghanistan, Turkmenistan could expect to receive a large number of refugees.

UPDATING REFUGEE LEGISLATION

110. (SBU) UNHCR is working with Government to amend Turkmenistan's Refugee Law of 1997, which was adopted in cooperation with UNHCR. According to Helleland, the current law is "not too bad, but is not well implemented." Also, the law has not been updated to reflect more recent trends in refugee issues, resulting in "gaps" in protection, including complementary forms of protection, protection from new forms of persecution, including non-state persecution, and confidentiality in the procedure. UNHCR is a part of inter-ministerial group to revise the refugee law, which Helleland

hopes would be adopted in the fall of this year.

UNHCR STATELESSNESS MANDATE

¶11. (SBU) Apart from its refugee mandate, UNHCR also addresses the issue of statelessness. "The problem of statelessness is a bigger problem in Turkmenistan than we had expected," Helleland said. The statelessness problem is caused by the demise of Soviet Union and existing gaps in citizenship law of former Soviet republics. In 2007, around 8,500 stateless persons were registered in Turkmenistan. According to Helleland, the figure now exceeds 12,000, not including children under the age of 16. From Government sources, UNHCR learned that 4,500 applications of stateless persons have been submitted to the State Commission in charge of considering permanent residence permits or citizenship. Apparently, these cases are complete, but a presidential review is being delayed because the commission wants to be able to submit a larger number of applications for the President's review. Helleland explained that compiling the necessary documentation is an onerous task requiring 17 documents, some of which are valid for only two weeks.

¶12. (SBU) COMMENT: The field for UNHCR activity in Turkmenistan appears to be shrinking as the Government takes more responsibility for refugee matters and former refugees are largely integrated. This was no doubt facilitated by the fact that most of the refugees were ethnic Turkmen from neighboring Tajikistan and Afghanistan. As Helleland made clear, the Turkmen Government relied heavily on UNHCR in handling refugee cases in the past, which also no doubt contributed to its positive past performance. END COMMENT.

ASHGABAT 00000277 003 OF 003

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